

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT ROYCE BYFORD,
Petitioner,
v.
WILLIAM GITTERE, *et al.*,
Respondents.

Case No. 3:11-cv-00112-JCM-WGC

**ORDER GRANTING
MOTION FOR EXTENSION OF TIME
(ECF NO. 123)**

In this capital habeas corpus action, the petitioner, Robert Royce Byford, represented by appointed counsel, filed a third amended petition for writ of habeas corpus on January 30, 2020 (ECF No. 92). Respondents filed a motion to dismiss the third amended petition on September 25, 2020 (ECF No. 107). On February 24, 2021, Byford filed an opposition to the motion to dismiss (ECF No. 116), along with a motion for leave to conduct discovery (ECF No. 117) and a motion for evidentiary hearing (ECF No. 119). Respondents were then due on March 26, 2021, to file a reply in support of their motion to dismiss, and responses to the motion for leave to conduct discovery and motion for evidentiary hearing. See Order entered October 24, 2019 (ECF No. 88).

On March 26, 2021, Respondents filed a motion for extension of time (ECF No. 123), requesting a 45-day extension of time, to May 10, 2021. Respondents' counsel states that the extension of time is necessary because of his obligations in other cases. Petitioner does not oppose the motion for extension of time.

The Court finds that Respondents' motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time requested.

IT IS THEREFORE ORDERED that Respondents' Motion for Enlargement of Time (ECF No. 123) is **GRANTED**. Respondents' reply in support of their motion to dismiss, and their responses to the motion for leave to conduct discovery and motion for evidentiary hearing, will be due on May 10, 2021.

IT IS FURTHER ORDERED that, in all other respects, the schedule for further proceedings set forth in the order entered October 24, 2019 (ECF No. 88) will remain in effect.

DATED March 31, 2021.

JAMES C. MAHAN,
UNITED STATES DISTRICT JUDGE